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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,080	01/05/2000	WARNER R. T. TEN KATE	PHN-17-254	1177

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 12/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/478,080

Applicant(s)

TEN KATE ET AL.

Examiner

Michael N. Opsasnick

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on September 16, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3,5-7,9-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada et al (5809454).

As per claims 1,9,18, Okada et al (5809454) teaches an arrangement station for reproducing a multimedia signal the arrangement comprising presenting means for presenting the multimedia signal to a user (Fig. 1,6;col. 1 lines 5-28), delay determining means for determining a packet delay measure representing the arrival delay of packets carrying the multimedia signal (as determining the time differential between data arrival and playback mode (col. 6 lines 35-55), as a delay (col. 11 lines 25-50), based on the differential bit rate (col. 6 lines 50-55)); and the presenting means includes a comparison means for determining a difference value between the packet delay measure and a reference value (as counting the difference between the write signal pulses and the read signal pulses -- col. 7 lines 21-31); and an adjusting means for adjusting the presenting

speed in dependence on the difference value (as adjusting the sound interval for compression/expanding according to the write process -- col. 7 lines 34-50).

As per claims 2,10, Okada et al (5809454) teaches varying the presentation speed of the sound without changing the intonation of the audio signal (abstract).

As per claims 3,11, Okada et al (5809454) teaches varying the duration of the segments based on the packet delay (col. 11 lines 35-49; col. 9 lines 1-66)

As per claims 5,17, Okada et al (5809454) teaches adapting the reference value in dependence on the variations of the difference value (col. 9 lines 45 – col. 10 line15).

As per claims 6,7,12,13, Okada et al (5809454) teaches adjusting the movement speed of the object video signal (col. 14 line 30 – col. 15 line 65; col. 18 lines 10-65).

As per claim 14, Okada et al (5809454) teaches comparison of the time values to measure the packet delay (as time based indexed signals for synchronization –col. 11 lines 50-60)

As per claim 15, Okada et al (5809454) teaches a reference value flag based on the buffer measurements (col. 20 line 61 – col. 21 line 9)

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As per claim 16, Okada et al (5809454) teaches playback speeds up to 300% (or 3 times) without changing the intonation of the audio signal component (Fig. 13; col. 16 line 33 – col. 17 line 25).

Response to Arguments

3. Applicant's arguments filed 9/16/2003 have been fully considered but they are not persuasive. As per applicants arguments that Okada does not teach a packet delay, examiner notes that the delay taught by Okada is a delay calculated between and audio frame and a video frame (or, in other words, and audio packet versus a video packet (col. 11 lines 35-50).

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

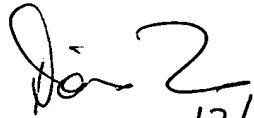
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno
12/2/2003


DORIS H. TO 12/11/03
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600